

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ROYAL SLEEP PRODUCTS, INC., a Florida
Corporation,

Plaintiff,

vs.

RESTONIC CORPORATION, an Illinois
Corporation, RESTONIC MATTRESS
CORPORATION, an Illinois Corporation, SLEEP
ALLIANCE, LLC, a Delaware Limited Liability
Company, ROYAL BEDDING COMPANY OF
BUFFALO, a New York Corporation, JACKSON
MATTRESS CO. LLC, a North Carolina Limited
Liability Company, CONTINENTAL
SILVERLINE PRODUCTS L.P., a Texas Limited
Partnership, STEVENS MATTRESS
MANUFACTURING CO., a North Dakota
Corporation, TOM COMER, JR., an individual,
DREW ROBINS, an individual, and RICHARD
STEVENS, an individual,

Defendants.

Case No. 07 C 6588

Hon. Rebecca R. Pallmeyer

Magistrate Judge Valdez

**MOTION OF DEFENDANTS, STEVENS MATTRESS MANUFACTURING CO.
AND RICHARD STEVENS, FOR ENLARGEMENT OF TIME TO RESPOND
TO PLAINTIFF'S COMPLAINT**

Defendants, Stevens Mattress Manufacturing Co. and Richard Stevens ("Defendants"), by and through the undersigned attorneys, move pursuant to Fed. R. Civ. P. 6(b) for an enlargement of time for Defendants to respond to Plaintiff's Complaint. In support of their motion, Defendants state the following:

1. Defendants were served on January 18, 2008.
2. Defendants' response to the Complaint is due on February 11, 2008.
3. In an attempt to avoid an unnecessary motion, Defendants offered to waive service in accordance with Local Rule 4.0. However, Plaintiff was not agreeable to such measures.

4. Counsel for Defendants require additional time to properly investigate the allegations and formulate an appropriate response.

5. Further, co-defendants Sleep Alliance, LLC, Royal Bedding Company of Buffalo, Jackson Mattress Co. LLC, Continental Silverline Products L.P., Tom Comer, Jr., and Drew Robins, filed a similar motion seeking an additional amount of time, up to and including February 27, 2008, to file their responsive pleading which was granted by this Court on January 16, 2008.

6. Defendants respectfully request an enlargement of time in which to answer or otherwise plead to the Complaint up to and including February 27, 2008.

7. This request is made in good faith and will not prejudice any of the parties.

WHEREFORE, Defendants, Stevens Mattress Manufacturing Co. and Richard Stevens, respectfully request that this Court grant them an enlargement of time up to and including February 27, 2008, in which to respond to Plaintiff's Complaint, and grant such further and additional relief as this Court deems just and appropriate.

Dated: February 4, 2008

Respectfully submitted,

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By: /s/Michelle B. Fisher
One of the Attorneys for Defendants,
STEVENS MATTRESS MANUFACTURING
CO. and RICHARD STEVENS

CERTIFICATE OF SERVICE

I hereby certify that on February 4, 2008, I electronically filed the **Motion Of Defendants, Stevens Mattress Manufacturing Co. And Richard Stevens, For Enlargement Of Time To Respond To Plaintiff's Complaint** with the Clerk of the Court using the ECF system, which sent electronic notification of the filing on the same day to:

Counsel for Plaintiff

Royal Sleep Products, Inc.

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Counsel for Defendants

**Restonic Corporation and Restonic
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/s/ Michelle B. Fisher

Michelle B. Fisher

¹ The Zarco firm is being served via telecopy because individual lawyers have not yet filed an appearance to allow ECF service.

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